

## UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
 Room 2722 - 219 S. Dearborn Street  
 Chicago, Illinois 60604



Office of the Clerk  
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[www.ca7.uscourts.gov](http://www.ca7.uscourts.gov)

## CIRCUIT RULE 3(b) NOTICE

February 24, 2014

No.: 14-1389	<p>NICK PEARSON, et al.,    Plaintiffs - Appellees    v.    NBTY, INCORPORATED, a Delaware corporation, et al.,    Defendants - Appellees    APPEAL OF: KATHLEEN MCNEAL, Objector, et al.,</p>
<b>Originating Case Information:</b>	
<p>District Court No: 1:11-cv-07972    Northern District of Illinois, Eastern Division    Court Reporter Blanca I. Lara    District Judge James B. Zagel    Clerk/Agency Rep Thomas G. Bruton</p>	

Circuit Rule 3(b) empowers the clerk to dismiss an appeal if the docket fee is not paid within fourteen (**14**) days of the docketing of the appeal. This appeal was docketed on **February 24, 2014**. The District Court has indicated that as of February 24, 2014, the docket fee has not been paid. Depending on your situation, you should:

1. Pay the required \$500.00 docketing fee PLUS the \$5.00 notice of appeal filing fee to the District Court Clerk, **if you have not already done so**. The Court of Appeals cannot accept this fee. You should keep a copy of the receipt for your records.
2. File a motion to proceed on appeal in forma pauperis with the District Court, **if you have not already done so**. An original and three (3) copies of that motion, with proof of service on your opponent, is required. This motion must be supported by a sworn affidavit in the form prescribed by **Form 4** of the *Appendix of Forms to the Federal Rules of Appellate Procedure (as amended)*

12/01/2013), listing the assets and income of the appellant(s).

3. If the motion to proceed on appeal in forma pauperis is denied by the district court, you must either pay the required \$500.00 docketing fee PLUS the \$5.00 notice of appeal filing fee to the District Court Clerk, within fourteen (14) days after service of notice of the action to the district court, or within thirty (30) days of that date, renew your motion to proceed on appeal in forma pauperis with this court.

If the motion is renewed in this court, it must comply with the terms of *Fed.R.App.P. 24(a)*.

If one of the above stated actions is not taken, the appeal will be dismissed.

form name: **c7\_DC\_Fee\_Note\_Sent**(form ID: 158)